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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/054,010 : Confirmation No.: 5486
Applicant : Barry Gelernt et al.
Filed : 01/21/2002
For : VAPOR FLOW CONTROLLER

Art Unit : 3742
Examiner : Leonid M. Fastovsky

Docket No. : 06161 USA
Customer No. : 23543

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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APPEAL BRIEF UNDER 37 CFR 1.192(b)

Sir:

Responsive to the Advisory Action Before the Filing of an Appeal Brief after the Final Rejection in the Office Action of 13 December 2004 in which Claims 1-19 were finally rejected under 35 USC §103(a), Applicants respectfully request reversal of the Final Rejection and allowance of the claims.

REAL PARTY IN INTEREST

The assignee of record, Air Products and Chemicals, Inc., is the real party in interest.

RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences to the present case and its appeal.

STATUS OF CLAIMS

Claims 1-18 were originally in the case. Claims 1, 5-7, 9-11, and 13 were amended and new claim 19 was added after the second Office Action of 16 April 2004. The claims on appeal are Claims 1-19.

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